

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

Crl.Rev.Pet.No. 1566 of 2007()

CRA.359/2004 of ADDL. SESSIONS FAST TRACK COURT (ADHOC)-II,
PALAKKAD
CC.362/2000 of CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD
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REVN. PETITIONER: APPELLANT/ACCUSED

NIJAMUDDIN,
S/O.MUTHU ROWTHER, MATHAM VEEDU,
UMMANEZHI, PULAPATTA, PALAKKAD.

BY ADV. SRI.K.R.VINOD

RESPONDENTS: RESPONDENT/COMPLAINANT

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1. ISMAIL, S/O.MUHAMED KHANI,
MANAKAVU, KLATHIL HOUSE, THASRAK, KINNASSERY,
PALAKKAD.
 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 11/04/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R. UDAYABHANU, J
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CRL. R.P. NO. 1566 OF 2007

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Dated this the 11th day of April 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months and to pay a fine of Rs.1,10,000/- and in default to undergo simple imprisonment for three months. Rs. 1,08,000/- of the fine amount if realised is ordered to be paid to the complainant as compensation.

2. The counsel for the revision petitioner has only sought for modification of sentence and for time to remit the fine amount. In the circumstances, sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs. 1,08,000/- (Rupees One lakh eight thousand) to the complainant vide Section 357(3) Cr.P.C and in default to undergo simple imprisonment for six months. The revision petitioner shall appear before Chief Judicial Magistrate, Palakkad on 15.10.2007 to receive sentence.

The Crl.R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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